

國立中興大學學生懷孕學習權維護及輔導協助要點

99.1.6 第 349 次行政會議訂定

104.11.18 第 396 次行政會議修正通過(第 1、4、6 點)

108.4.10 第 423 次行政會議修正通過(名稱及全份條文)

110.9.29 第 443 次擴大行政會議修正通過(全份條文)

- 一、為落實性別平等教育法之規定，以提供本校教學及行政單位積極維護懷孕學生學習權之原則，並提供必要之協助，特訂定本要點。
- 二、本要點適用之學生（以下簡稱適用學生），包括：
 - (一) 懷孕、曾懷孕（人工流產、自然流產或出養）之學生。
 - (二) 育有子女之學生。
 - (三) 因配偶或伴侶懷孕、曾懷孕，而有學習權維護及輔導協助需求之學生。
- 三、適用學生之學習權益如下：
 - (一) 彈性辦理請假。
 - (二) 彈性處理成績考核。
 - (三) 保留入學資格。
 - (四) 延長修業期限。
 - (五) 申請休學期間不計入休學年限。
 - (六) 其他學習權益。適用學生得向學校提出學生懷孕現況與需求，未成年懷孕及未成年育有子女之學生得提出個案服務轉介之申請，或運用其他相關社會福利資源。
- 四、本校教學及行政單位應提升教職員工生及家長對適用學生同理、接納與關懷之正向態度，積極營造無歧視、多元平等之友善校園環境，並依下列方式辦理：
 - (一) 於相關課程、教育活動、集會或研習，納入維護學生懷孕學習權及情感教育相關議題之宣導、訓練，每學年應辦理至少一場宣導或訓練。
 - (二) 不得以學生懷孕、曾懷孕或育有子女為由，以明示或暗示之方式，要求適用學生請假、休學、轉學或退學。
 - (三) 修正學則、各種章則、成績考核或評量之相關規定，納入彈性辦理請假、彈性處理成績考核、保留入學資格、延長修業期限、申請休學期間不計入休學年限之輔導協助措施，協助適用學生完成學業。但法規另有規定者，不在此限。
 - (四) 改善校園相關設施，提供適用學生友善安全之學習環境。
 - (五) 不得歧視或違法懲處適用學生，亦不得做出其他不當之措施或決議。
- 五、處理學生懷孕事件，各單位應依學生懷孕學習權維護及輔導協助分工表及流程圖（附表一、二）提供必要協助，告知校內外保障其學習權之輔導協助資源，並主動提供學生懷孕現況與需求調查表予其填寫。適用學生為未成年者，應即啟動工作小組；有相關需求之成年學生，向學校提出申請者，亦同。
前項工作小組之組成及任務如下：
 - (一) 組成：
校長或校長指派校內主管擔任召集人，由適用學生課業、出缺勤、學習環境及學生輔導相關之處室主管及性別平等教育委員會委員為當然成員，設立單一窗口並得邀請相關專業之校內外人士參與。
 - (二) 任務：
 1. 依適用學生需求，整合教育、社政、戶政、勞工、衛生醫療、警政單位之資源，提供適用學生輔導、轉介、安置、保健、就業、家庭支持、經濟安全、

法律協助及多元適性教育。

2. 其他關於學生懷孕學習權維護及輔導協助相關事務。

- 六、本校教學及行政單位應實施性別平等教育暨性教育課程或活動，培養學生建立健康安全之性態度與性行為，學習避免非預期懷孕之知能，並教導校園師生及家長對懷孕及育有子女之學生採取接納、關懷之態度，以積極保障懷孕及育有子女學生之學習權。
- 七、本校教職員工不得以學生懷孕或育有子女為由，做出不當之處分，或以明示或暗示之方式，要求學生休學、轉學、退學或請長假。遭受學校歧視或不當處分之學生，得依性別平等教育法或其他相關法規規定，向本校受理窗口提出申訴。
- 八、各單位知悉學生有懷孕之情事時，其內容如屬依兒童及少年福利與權益保障法、兒童及少年性剝削防制條例、性侵害犯罪防治法及家庭暴力防治法或其他相關法規規定應辦理通報者，應依規定確實辦理。
- 九、相關單位於輔導、協助適用學生時，應建立完整紀錄，並謹守專業倫理，尊重其隱私權。學生懷孕學習權維護及輔導協助辦理情形列為性別平等教育委員會會議工作報告事項，並應於每學年末將學生懷孕學習權維護及輔導協助概況彙報教育部。
- 十、本要點未盡事宜，悉依教育部「學生懷孕受教權維護及輔導協助要點」及相關規定辦理。
- 十一、本要點經行政會議通過後實施，修正時亦同。

National Chung Hsing University Guidelines for the Protection and Assistance of Pregnant Students' Right to Education

Drafted in the 349th Administrative Meeting on January 6, 2010

Revised and approved in the 396th Administrative Meeting on November 18, 2015 (Article 1, 4, and 6)

Revised and approved in the 423rd Administrative Meeting on April 10, 2019 (title and the entire guidelines)

Passed in the Administrative Meeting Expansion Meeting on September 29, 2021 (entire guidelines)

Article 1 To implement the provisions of the Gender Equality Education Act and actively maintain the educational rights of pregnant students, as well as to provide necessary assistance, these guidelines are hereby established.

Article 2 Students who are applicable to these guidelines (hereafter referred to as “applicable students”) include:

- (1) Students who are pregnant, have been pregnant (through miscarriage, natural loss, or giving up for adoption).
- (2) Students who are parents.
- (3) Students whose spouse or partner is or has been pregnant and require support in maintaining their educational rights and assistance.

Article 3 The educational rights of applicable students include:

- (1) Flexible leave applications.
- (2) Flexible handling of grade assessments.
- (3) Retention of admission status.
- (4) Extension of the duration of study.
- (5) The period of a leave of absence due to application does not count towards the total allowed duration of study leave.
- (6) Other educational rights.

Applicable students need to submit their current pregnancy status and needs to the university. Minors who are pregnant or have children may request case service referrals or utilize other relevant social welfare resources.

Article 4 Teaching and administrative units at the university shall foster a positive attitude of empathy, acceptance, and care towards applicable students among faculty, staff, students, and parents, actively creating a non-discriminatory, diverse, and equal-friendly campus environment by:

- (1) Incorporating advocacy and training on maintaining pregnant students' right to education and emotional education into relevant courses, educational activities, assemblies, or workshops, with at least one such event conducted every academic year.
- (2) Not explicitly or implicitly requiring applicable students to take leave, suspend studies, transfer, or withdraw from the university due to pregnancy, past pregnancy, or parenting.

- (3) Amending school rules and regulations, assessment criteria, and other related provisions to include flexible leave applications, grade assessment handling, retention of admission status, extension of study duration, and excluding leave of absence from the study period limit as supportive measures to help applicable students complete their studies, except where other legal provisions apply.
- (4) Improving campus facilities to provide a friendly and safe learning environment for applicable students.
- (5) Not discriminating against or unlawfully punishing applicable students, nor taking any other inappropriate actions or decisions.

Article 5 When dealing with pregnant student cases, units shall provide necessary assistance according to the division list of responsibilities and flowchart for maintaining pregnant students' educational rights and assistance (Attached list 1, 2), inform them of counseling and assistance resources both within and outside the university, and proactively provide a survey form for current pregnancy status and needs. A working group shall be initiated for minors; the same applies to adult students with related needs upon application to the university.

The composition and duties of the aforementioned working group are as follows:

(1) Composition:

The President or a person designated by the President acts as the convener, with department heads responsible for applicable students' academics, attendance, learning environment, and student counseling, as well as members of the Gender Equality Education Committee, serving as ex officio members. A single point of contact is established, and professionals from both inside and outside the university may be invited to participate.

(2) Duties:

1. Integrating resources from education, social policy, civil affairs, labor, health and medical services, police units to provide guidance, referral, placement, health care, employment, family support, economic security, legal assistance, and diverse adaptive education according to the needs of applicable students.
2. Other matters related to the maintenance and assistance of pregnant students' right to education.

Article 6 The university's teaching and administrative units shall implement gender equality education and sexual education courses or activities to cultivate healthy and safe sexual attitudes and behaviors among students, teach students to avoid unintended pregnancies, and teach campus faculty, students, and parents to adopt accepting and caring attitudes towards pregnant and parenting students, actively protecting their educational rights.

Article 7 University faculty and staff shall not take inappropriate actions or suggest students to suspend studies, transfer, withdraw, or take long leaves of absence due to pregnancy or parenting. Students who face discrimination or inappropriate treatment by the university can file a complaint according to the Gender Equality Education Act or other relevant

regulations.

- Article 8 When units become aware of a student's pregnancy, if the situation falls under the mandate for reporting according to The Protection of Children and Youths Welfare and Rights Act, Child and Youth Sexual Exploitation Prevention Act, Sexual Assault Crime Prevention Act, Domestic Violence Prevention Act, or other related regulations, it shall be reported according to the law.
- Article 9 Relevant units shall maintain complete records when counseling and assisting applicable students, adhere to professional ethics, and respect their privacy. The status of maintaining and assisting pregnant students' right to education shall be included in the Gender Equality Education Committee's work reports and summarized to the Ministry of Education at the end of each academic year.
- Article 10 Matters not covered by these guidelines shall be handled in accordance with the Ministry of Education's "Guidelines for the Protection and Assistance of Pregnant Students' Right to Education" and related regulations.
- Article 11 These guidelines shall be implemented following approval by the administrative meeting, and any amendments thereto shall be subject to the same procedure.